

ORIGINAL FILED
JUL 21 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. _____

STATE OF MONTANA,

Plaintiff and Appellant,

v.

WILLIAM MARCUS WINN,

Defendant and Appellee.

FILED

JUL 21 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

AMENDED NOTICE OF APPEAL

NOTICE is hereby given that the State of Montana, the Appellant above-named and who is the Plaintiff in that cause of action filed in the 18th Judicial District, in and for the County of Missoula, as Cause No. DC-09-519, hereby appeals to the Supreme Court of Montana from the District Court's Opinion and Order Re: Motion to Suppress, entered in such action on June 28, 2010.

THE APPELLANT FURTHER CERTIFIES:

1. This appeal is not subject to the mediation process required by Mont. R. App. P. 7.

2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b).

3. That transcripts of the March 15, 2010 hearing on the motion to suppress have been ordered from Colleen Williamson, Electronic Court Reporter, Missoula County Courthouse, 200 West Broadway, Missoula, Montana, 59802.

4. Because this is an appeal by the State of Montana no filing fee is owed.

5. This Amended Notice of Appeal corrects the caption to reflect that the State of Montana is the Appellant in this matter. A copy of the original Notice of Appeal is attached hereto.

DATED this 19th day of July, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: Mark Mattioli
MARK W. MATTIOLI
Appellate Services Bureau Chief

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing Amended Notice of Appeal with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing Amended Notice of Appeal upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-reverenced District Court action as follows:

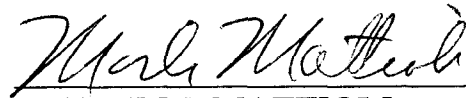
Ms. Shirley E. Faust
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Missoula County Courthouse
200 West Broadway
Missoula, MT 59802-4292

Mr. Craig Shannon
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Ms. Colleen Williamson
Electronic Court Reporter
Missoula County
200 West Broadway
Missoula, MT 59802-4292

DATED: _____

2/21/10



MARK W. MATTIOLI
Assistant Attorney General